



JC10 Rec'd PET/PTO 29 JUL 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joel Melnick, *et al.*

Serial No.: 10/524,376

Filed: February 15, 2005

For: SHORTENING OF HOSPITAL STAY  
AND IMPROVING SURVIVAL IN  
PATIENTS WITH CHRONIC  
KIDNEY DISEASE

Examiner: (not assigned)

Group Art Unit: (not assigned)

Case No.: 6963.US.01

CERTIFICATE OF MAILING (37 CFR 1.8 (a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450, on:

Date of Deposit: July 25, 2005

Kathleen Boettcher 7/25/05  
Kathleen Boettcher Date

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The following information is submitted, pursuant to 37 CFR §§1.97-1.98 in accordance with Applicant's duty of disclosure under 37 CFR §1.56. This submission is not intended to constitute an admission that any patent, publication or other information cited herein is "prior art" as to the invention claimed. In accordance with 37 CFR §§1.97(g)-(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that other material information as defined by 37 CFR §1.56(a) exists.

Applicants submit herewith Form PTO-1449 listing the references known to them. Applicants respectfully request that the Examiner (1) initial each reference listed on the enclosed Form PTO-1449 indicating that the Examiner has considered and made those references of record in this application and (2) return a copy of the initialed Form PTO-1449 to Applicants. Copies of all cited documents have been included except any U.S. patent.

No charge is required for the submission of this Information Disclosure Statement under 37 C.F.R. § 1.97 (b). The Commissioner is hereby authorized to charge any additional filing fees required under 37 C.F.R. § 1.17 concerning this transmission, or to credit any overpayment to Deposit Account No. 01-0025.

Respectfully submitted,  
Joel Melnick, *et al.*

Patricia Coleman James  
Patricia Coleman James  
Registration No. 37,155  
Attorney for Applicants

ABBOTT LABORATORIES  
Customer Number: 23492  
Telephone: (847) 937-4558  
Facsimile: (847) 938-2623



POT

**PATENT**  
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**TRANSMITTAL LETTER**

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

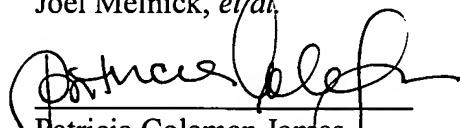
Dear Sir:

Enclosed herewith is an Information Disclosure Statement for Joel Melnick, *et al.*, for SHORTENING OF HOSPITAL STAY AND IMPROVING SURVIVAL IN PATIENTS WITH CHRONIC KIDNEY DISEASE, the specification of which was filed on February 15, 2005, and received Serial No. 10/524,376.

Also enclosed are: Form PTO 1449 (in duplicate) w/fourteen (14) references  
Return-receipt postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
Joel Melnick, *et al.*

  
Patricia Coleman James  
Registration No. 37,155  
Attorney for Applicants

ABBOTT LABORATORIES  
Customer Number: 23492  
Telephone: (847) 937-4558  
Facsimile: (847) 938-2623



DATE: July 25, 2005 SHEET 1 of 2

Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(Modified) PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

6963.US.01

SERIAL NO.

10/524,376

APPLICANT

Joel Melnick, et al.

FILING DATE

February 15, 2005

GROUP

(not assigned)

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

(37 CFR 1.98 (b))

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUB CLASS	FILING DATE

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANSLATION
							YES
							NO

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

C1	Berweck, S., et al., "Cardiac mortality prevention in uremic patients", <i>Clinical Nephrol</i> 2000 Germany, 53(Suppl1):S80-S85 (2000)
C2	Cada, D.J., et al., "Paricalcitol Injection and Ribavirin/Interferon Alfa-2b", <i>Hosp. Pharm.</i> , Lippincott, Philadelphia, US, 34(3):303-338 (1999)
C3	Drüeke & McCarron, "Paricalcitol as Compared with Calcitriol in Patients Undergoing Hemodialysis", <i>N Engl J Med</i> , 349(5):496-499 (2003)
C4	Keller & Potter, "Predictors of Mortality in Outpatient Geriatric Evaluation and Management Clinic Patients", <i>Journ of Gerontology</i> , 49(6):M246-M251 (1994)
C5	Lanska & Kryscio, "Geographic distribution of hospitalization rates, case fatality, and mortality from stroke in the United States", <i>Neurology</i> , 44(8):1541-1550 (1994)
C6	Lindberg, J., et al., "A long-term, multicenter study of the efficacy and safety of paricalcitol in end-stage renal disease", <i>Clinical Nephrology</i> , 56(4):315-323 (2001)
C7	Llach, F., "Paricalcitol: An Updated Review and Guidelines for Use", <i>Dialysis and Transplantation</i> 2001 US, 30(10):654-664 (2001)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449)



DATE:

July 25, 2005

SHEET \_2\_ of \_2\_

## Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(Modified) PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

6963.US.01

SERIAL NO.

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APPLICANT

Joel Melnick, et al.

FILING DATE

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GROUP

(not assigned)

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STATEMENT BY APPLICANT

(Use several sheets if necessary)

(37 CFR 1.98 (b))

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## FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANSLATION
						YES

## OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

C8	Marco, M.P., et al., "Influence of Vitamin D Receptor Gene Polymorphisms on Mortality Risk in Hemodialysis Patients", <i>Amer Journ of Kidney Dis.</i> , 38(5):965-974 (2001)
C9	Martin, K.J., et al., "Paricalcitol Dosing According to Body Weight or Severity of Hyperparathyroidism: A Double-Blind, Multicenter, Randomized Study", <i>Amer Journ of Kidney Dis.</i> , 38(5)(Suppl 5):S57-S63 (2001)
C10	Salusky & Goodman, "Cardiovascular calcification in end-stage renal disease", <i>Nephrol Dial Transplant</i> , 17:336-339 (2002)
C11	Szelachowska, M., et al., "Samoistna Postać zespołu Fanconiego u osoby dorosłej", <i>US Natl Libr of Med (NLM)</i> , 1(6):414-416 (1996)
C12	Tarantino, G., et al., "The Efficacy of Oral and Intravenous Calcitriol Pulses Therapy in Hemodialysis Patients: Four Years Follow-Up", <i>Nephrology Dialysis Transp.</i> , 16(6):A130 (2001)
C13	Teng, M., et al., "Survival Benefit of Zemplar Compared with Calcijex among Dialysis Patients", <i>Journ of the Amer Soc of Nephrology</i> , 13 (prog & Abstracts Issue): A461A (2002)
C14	Teng, M., et al., "Survival of Patients Undergoing Hemodialysis with paricalcitol or Calcitriol Therapy", <i>The New Engl Journ of Med.</i> , 349(5):446-456 (2003)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449)